

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, APRIL MUNIZ,
MARCUS MARTIN, NATALIE ROMERO,
CHELSEA ALVARADO, JOHN DOE, and
THOMAS BAKER,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,
CHRISTOPHER CANTWELL, JAMES
ALEX FIELDS, JR., VANGUARD
AMERICA, ANDREW ANGLIN,
MOONBASE HOLDINGS, LLC, ROBERT
“AZZMADOR” RAY, NATHAN DAMIGO,
ELLIOT KLINE a/k/a/ ELI MOSLEY,
IDENTITY EVROPA, MATTHEW
HEIMBACH, MATTHEW PARROTT a/k/a
DAVID MATTHEW PARROTT,
TRADITIONALIST WORKER PARTY,
MICHAEL HILL, MICHAEL TUBBS,
LEAGUE OF THE SOUTH, JEFF SCHOEP,
NATIONAL SOCIALIST MOVEMENT,
NATIONALIST FRONT, AUGUSTUS SOL
INVICTUS, FRATERNAL ORDER OF THE
ALT-KNIGHTS, MICHAEL “ENOCH”
PEINOVICH, LOYAL WHITE KNIGHTS OF
THE KU KLUX KLAN, and EAST COAST
KNIGHTS OF THE KU KLUX KLAN a/k/a
EAST COAST KNIGHTS OF THE TRUE
INVISIBLE EMPIRE,

Defendants.

Civil Action No. 3:17-cv-00072-NKM

**PLAINTIFFS’ CORRECTED MOTION FOR EXTENSION OF TIME TO FILE REPLY
IN SUPPORT OF THEIR MOTION FOR ATTORNEYS’ FEES AND COSTS**

Plaintiffs respectfully request that, like Defendants, they be granted an extension of time to file their reply brief in further support of Plaintiffs' Motion for Attorneys' Fees and Costs and Bill of Costs (the "Motion"), ECF 1552 & 1553. While at least some of Defendants' reply briefs are now not due until May 5, 2022, *see* ECF 1584, it appears that Plaintiffs' reply brief may still be due tomorrow, April 27, 2022. But now that Defendant Cantwell's opposition to the Motion is not due until May 23, 2022, *see* ECF 1584, if Plaintiffs' reply deadline is not similarly extended, that would (1) effectively make Defendant Cantwell's opposition into a sur-reply, (2) result in Plaintiffs submitting two separate reply briefs in support of their Motion—one in response to Defendant Cantwell's opposition, which is not due until May 23, 2022, and another in response to the other Defendants' oppositions, which have already been filed; and (3) result in three different reply dates for the parties' post-trial motions: (a) Plaintiffs' reply brief due April 27, 2022; (b) at least some of Defendants' reply briefs due on May 5, 2022, whereas others may still be due on April 27, 2022;¹ and (c) Plaintiffs' reply brief in response to Defendant Cantwell's May 23 opposition due June 6, 2022.

Plaintiffs therefore respectfully request that they be permitted to file a single reply brief in response to all Defendants' oppositions to Plaintiffs' Motion no later than five business days after Defendant Cantwell's opposition is entered on the docket. In the alternative, Plaintiffs respectfully request that they be granted the same 14-day extension as Defendants and that their reply brief in further support of Plaintiffs' Motion be due on the same date as at least certain of Defendants' reply briefs, or May 5, 2022, *see* ECF 1584, with a second reply brief in response to Defendant

¹ It appears that Defendants' reply briefs in response to Plaintiffs' Omnibus Opposition to Defendants' Rule 50(b) and 59(a) Post-Trial Motions are now due on May 5, 2022, *see* ECF 1584, whereas their reply briefs in response to Plaintiffs' Opposition to Defendants' Motions Challenging the Punitive Damages Awards may still be due on April 27, 2022, under the earlier schedule, *see* ECF 1567. As we stated in our letter to the Court dated April 20, 2022, ECF 1583, Plaintiffs would not oppose all of these reply briefs being uniformly due on May 5, 2022.

Cantwell's opposition due no later than five business days after Defendant Cantwell's opposition is entered on the docket.

Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record

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CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2022, I served the following via electronic mail:

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I hereby certify that on April 26, 2022, I also served the following by electronic mail:

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